



CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
200 East Santa Clara Street
San José, California 95113
Telephone (408) 535-1260
FAX (408) 292-6207

City Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28695**", the original copy of which is attached hereto, was passed for publication of title on the **26th day of January, 2010**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **9th day of February, 2010**, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **12th day of March, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **11th day of February, 2010**.

(SEAL)

LEE PRICE, MMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

/rmk

ORDINANCE NO. 28695

AN ORDINANCE OF THE CITY OF SAN JOSÉ REZONING CERTAIN REAL PROPERTY SITUATED ON THE SOUTHEAST CORNER OF LINCOLN AVENUE AND WILLOW STREET (1098 LINCOLN AVENUE), FROM CP COMMERCIAL PEDESTRIAN TO CP(PD) PLANNED DEVELOPMENT ZONING DISTRICT.

WHEREAS, all rezoning proceedings required under the provisions of Chapter 20.120 of Title 20 of the San José Municipal Code have been duly had and taken with respect to the real property hereinafter described; and

WHEREAS, the area encompassed by the subject proposed rezoning was the subject of a Mitigated Negative Declaration prepared in conformance with the California Environmental Quality Act of 1970 (CEQA), as amended, and found complete by the Planning Commission on January 13, 2010, under File No. PDC09-016 (the "MND"), which determination has not been challenged, protested or appealed; and

WHEREAS, the City Council of the City of San José is the decision-making body for the proposed subject rezoning to CP(PD) Planned Development Zoning District; and

WHEREAS, this Council of the City of San José has considered, approves and adopts said MND prior to taking any approval actions on this project.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. All that real property hereinafter described in this section, hereinafter referred to as "subject property," is hereby rezoned as CP(PD) Planned Development. The base zoning district of the subject property shall be the CP Commercial Pedestrian Zoning District. The Planned Development zoning of the subject property shall be that development plan for the subject property entitled, "1104 Lincoln Avenue, Willow St. & Lincoln Ave., San Jose, CA," **last revised January 4, 2010.**

Said General Development Plan is on file in the office of the Director of Planning and is available for inspection by anyone interested therein, and said General Development Plan is by this reference adopted and incorporated herein the same as if it were fully set forth herein.

The subject property referred to in this section is all that real property situated in the County of Santa Clara, State of California, described in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 2. The district map of the City is hereby amended accordingly.

SECTION 3. The land development approval that is the subject of City File No. PDC09-016 is subject to the operation of Part 2.75 of Chapter 15.12 of Title 15 of the San José Municipal Code. The applicant for or recipient of such land use approval hereby acknowledges receipt of notice that the issuance of a building permit to implement such land development approval may be suspended, conditioned or denied where the City Manager has determined that such action is necessary to remain within the aggregate operational capacity of the sanitary sewer system available to the City of San José or to meet the discharge standards of the sanitary sewer system imposed by the California Regional Water Quality Control Board for the San Francisco Bay Region.

PASSED FOR PUBLICATION of title this 26th day of January, 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

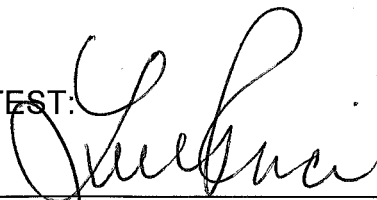
ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk

Title No. 09-98204744-MC
 Locate No. CACTI7743-7743-2982-0098204744

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

Beginning at the point of Intersection of the Southerly line of Willow Street, as originally existing 50 feet wide, with the Easterly line of Lincoln Avenue, running thence along the Easterly line of Lincoln Avenue, South 29° 30' East 131.00 feet to an iron pipe standing at the Northwesterly corner of that certain tract conveyed by Patience E. Caswell and John J. Caswell, her husband, to David Guianasso, by Deed dated October 21, 1908, and recorded October 21, 1908 in Book 333 of Deeds, Page 548, Records of Santa Clara County, California; running along the Northerly line of that certain tract of land conveyed by David J. Guianasso and Rose Guianasso, to Ida H. Smith, by Deed dated January 28, 1909, and recorded January 29, 1909 in Book 339 of Deeds, Page 574, Records of said County of Santa Clara, North 60° 30' East 137.95 feet to a 2' x 3' white stake marked "A"; thence at right angles South 29° 30' East 15.00 feet to a 2' x 3' white stake marked "S"; thence at right angles North 60° 30' East 15.00 feet to a 2' x 3' white stake marked "C"; thence at right angles North 29° 30' West 15.00 feet to a 2' x 3' white stake marked "D"; thence at right angles North 60° 30' East 10.05 feet to a 2' x 9' stake marked "E"; thence at right angles North 29° 39' West 131.00 feet to the Southerly line of Willow Street as originally existing 50 feet wide and thence along said last named line South 60° 30' West 163.00 feet to the point of beginning and being a part of the original C.T. Settle Tract in the Rancho San Juan Bautista.

APN: 429-06-070; 429-06-001

PARCEL TWO:

Beginning at a point on the Southerly line of Willow Street as Widened, distant thereon 163 feet Easterly from the True Point of Intersection of the Southerly line of Willow Street, as widened, with the Easterly line of Lincoln Avenue; thence running Easterly and along the Southerly line of Willow Street 61 feet; thence at right angles Southerly and parallel with the Easterly line of Lincoln Avenue 126 feet; thence at right angles Westerly and parallel with said Willow Street 61 feet; thence at right angles Northerly and parallel with the Easterly line of Lincoln Avenue, 126 feet to the Point of Beginning, and being a portion of the original settle Tract in the Narvaez Rancho.

APN: 429-06-002

PARCEL THREE:

PORTION OF LOTS 1, 2 AND 18 AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF A SURVEY MADE FOR MRS. LELER MAY ALLRED IN THE SETTLE SUB- DIVISION, BEING PART OF THE NARVAEZ RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 5, 1907 IN BOOK M OF MAPS, AT PAGE 2, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CROSS ON THE NORTHEASTERLY LINE OF LINCOLN AVENUE, DISTANT THEREON SOUTH 29° 30' EAST 182.00 FEET FROM THE POINT OF INTERSECTION OF THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE WITH THE SOUTHEASTERLY LINE OF WILLOW STREET (AS WIDENED); THENCE LEAVING THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE AND RUNNING NORTH 60° 27' 45" EAST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET 224.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 53.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 60° 27' 45" WEST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET, 24.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE, 22.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 60° 27' 45" WEST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET 200.00 FEET TO A CROSS ON THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE; RUNNING THENCE NORTH 29° 30' WEST ALONG THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 175.00 FEET TO THE POINT OF BEGINNING, AND BEING SHOWN UPON THAT CERTAIN

EXHIBIT "A" (continued)

Title No. 09-98204744-MC
Locate No. CACTI7743-7743-2982-0098204744

MAP ENTITLED, "RECORD OF SURVEY OF A PORTION OF LOTS 1, 2, N AND 18 SETTLE SUBDIVISION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON FEBRUARY 17, 1950 IN BOOK 25 OF MAPS, AT PAGE 39.

APN: 429-06-068

PARCEL FOUR:

PORTION OF LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF A SURVEY MADE FOR MRS. LELER MAY ALLRED IN THE SETTLE SUBDIVISION, BEING A PART OF THE NARVAEZ RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON NOVEMBER 5, 1907 IN BOOK N OF MAPS, PAGE 2 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF LINCOLN AVENUE AT THE DIVIDING LINE BETWEEN LOTS 2 AND 3, AS SAID AVENUE AND LOTS ARE SHOWN UPON THE MAP ABOVE REFERRED TO; RUNNING THENCE NORTH 29° 30' WEST ALONG THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 90.00 FEET; RUNNING THENCE NORTH 60° 27' 45" EAST AND PARALLEL WITH THE SAID DIVIDING LINE BETWEEN LOTS 2 AND 3, FOR A DISTANCE OF 200.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE, 90.00 FEET TO AN IRON PIPE SET ON THE SAID DIVIDING LINE BETWEEN LOTS 2 AND 3; RUNNING THENCE SOUTH 60° 27' 45" WEST ALONG SAID LAST NAMED DIVIDING LINE 200.00 FEET TO THE POINT OF BEGINNING, AND BEING SHOWN UPON THAT CERTAIN MAP ENTITLED, "RECORD OF SURVEY SHOWING A PORTION OF LOTS 1, 2, 4 AND 18 SETTLE SUBDIVISION" WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON FEBRUARY 17, 1950 IN BOOK 25 OF MAPS, PAGE 39.

APN: 429-06-067

PARCEL FIVE:

Beginning at an iron bolt set in the Easterly line of Lincoln Avenue at a point distant thereon 131 feet Southeasterly from the point of intersection of said Easterly line of Lincoln Avenue with the original Southerly line of Willow Street, said bolt being at the Westernmost corner of that certain parcel of land conveyed J.J. Caswell, et ux, to D.J. Caswell, et ux, to D.J. Guinasso by Deed dated October 21, 1908, recorded in Book 333 of Deeds, at Page 548, in the Office of the County Recorder of the County of Santa Clara, State of California; running thence along the Northwestern line of said last named parcel of land, N. 60° 30' E. 137.95 feet to a 2" x 3" white stake marked "A", thence leaving said line and running S. 29° 30' E. 15 feet to a 2" x 3" white stake marked "B", thence N. 60° 30' 15 E. 15 feet to a 2" x 3" white stake marked "C", and thence N. 29° 30' W. 15 feet to a 2" x 3" white stake marked "D" standing in said Northwestern line of said parcel of land conveyed to D.J. Guinasso; thence along the Northwestern line of said land, N. 60° 30' E. 71.05 feet to a 2" x 3" white stake marked "E" at the Northernmost corner of said land so conveyed to D.J. Guinasso; thence along the Northeasterly line of said land, S. 29° 30' E. 56 feet; thence at right angles S. 60° 30' W. and parallel with the original Southerly line of Willow Street, 224 feet to a point on the Easterly line of Lincoln Avenue; thence running N. 29° 30' W. along said Easterly line of Lincoln Avenue 56 feet to the point of beginning and being a portion of the original Settle Tract in the Narvaez Rancho.

APN: 429-06-069

APN: 429-06-001, 429-06-002, 429-06-067, 429-06-068, 429-06-069, 429-06-070



CHICAGO TITLE COMPANY

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Nebraska corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

[Signature]
Countersigned



Chicago Title Company

BY

[Signature]

President

ATTEST

[Signature]

Secretary

28695

Visit Us on our Website: www.ctic.com



Chicago Title Company

ISSUING OFFICE: 675 N. First Street, Suite 400 • San Jose, CA 95112
408 271-7600 • FAX 408 295-3975

FOR SETTLEMENT INQUIRIES, CONTACT: Chicago Title Company - San Jose Commercial
675 N. 1st Street, Suite 300 • San Jose, CA 95112
408 292-4212 • FAX 408 282-1404

PRELIMINARY REPORT

Title Officer: Mark Clayton C&I
Escrow Officer: Sharon LaFountain
Escrow No.: 09-98204744-SL

Title No.: 09-98204744-MC
Locate No.: CACTI7743-7743-2982-0098204744

TO: Meacham/Oppenheimer
2165 S. Bascom Avenue, Suite D
Campbell, CA 95008

ATTN: Dave Taxin

SHORT TERM RATE: Yes

PROPERTY ADDRESS: 1062-1072 Willow St & 1104-1140 Lincoln Avenue., San Jose, California 95125

EFFECTIVE DATE: March 18, 2009, 07:30 A.M.

The form of policy or policies of title insurance contemplated by this report is:

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Paja Investments, a California General Partnership

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

RR\CVG 04/01/2009

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN JOSE, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

Beginning at the point of intersection of the Southerly line of Willow Street, as originally existing 50 feet wide, with the Easterly line of Lincoln Avenue, running thence along the Easterly line of Lincoln Avenue, South 29° 30' East 131.00 feet to an iron pipe standing at the Northwesterly corner of that certain tract conveyed by Patience E. Caswell and John J. Caswell, her husband, to David Guianasso, by Deed dated October 21, 1908, and recorded October 21, 1908 in Book 333 of Deeds, Page 548, Records of Santa Clara County, California; running along the Northerly line of that certain tract of land conveyed by David J. Guisanasso and Rose Gulanasso, to Ida H. Smith, by Deed dated January 28, 1909, and recorded January 29, 1909 in Book 339 of Deeds, Page 574, Records of said County of Santa Clara, North 60° 30' East 137.95 feet to a 2' x 3' white stake marked "A"; thence at right angles South 29° 30' East 15.00 feet to a 2" x 3" white stake marked "S"; thence at right angles North 60° 30' East 15.00 feet to a 2" x 3" white stake marked "C"; thence at right angles North 29° 30' West 15.00 feet to a 2" x 3" white stake marked "D"; thence at right angles North 60° 30' East 10.05 feet to a 2" x 9' stake marked "E"; thence at right angles North 29° 39' West 131.00 feet to the Southerly line of Willow Street as originally existing 50 feet wide and thence along said last named line South 60° 30' West 163.00 feet to the point of beginning and being a part of the original C.T. Settle Tract in the Rancho San Juan Bautista.

APN: 429-06-070; 429-06-001

PARCEL TWO:

Beginning at a point on the Southerly line of Willow Street as Widened, distant thereon 163 feet Easterly from the True Point of Intersection of the Southerly line of Willow Street, as widened, with the Easterly line of Lincoln Avenue; thence running Easterly and along the Southerly line of Willow Street 61 feet; thence at right angles Southerly and parallel with the Easterly line of Lincoln Avenue 126 feet; thence at right angles Westerly and parallel with said of Willow Street 61 feet; thence at right angles Northerly and parallel with the Easterly line of Lincoln Avenue, 126 feet to the Point of Beginning, and being a portion of the original Settle Tract in the Narvaez Rancho.

APN: 429-06-002

PARCEL THREE:

PORTION OF LOTS 1, 2 AND 18 AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF A SURVEY MADE FOR MRS. LELER MAY ALLRED IN THE SETTLE SUB-DIVISION, BEING PART OF THE NARVAEZ RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON NOVEMBER 5, 1907 IN BOOK M OF MAPS, AT PAGE 2, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CROSS ON THE NORTHEASTERLY LINE OF LINCOLN AVENUE, DISTANT THEREON SOUTH 29° 30' EAST 182.00 FEET FROM THE POINT OF INTERSECTION OF THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE WITH THE SOUTHEASTERLY LINE OF WILLOW STREET (AS WIDENED); THENCE LEAVING THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE AND RUNNING NORTH 60° 27' 45" EAST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET 224.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 53.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 60° 27' 45" WEST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET, 24.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE, 22.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 60° 27' 45" WEST AND PARALLEL WITH THE SAID SOUTHEASTERLY LINE OF WILLOW STREET 200.00 FEET TO A CROSS ON THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE; RUNNING THENCE NORTH 29° 30' WEST ALONG THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 175.00 FEET TO THE POINT OF BEGINNING, AND BEING SHOWN UPON THAT CERTAIN

EXHIBIT "A" (continued)

Title No. 09-98204744-MC
Locate No. CACTI7743-7743-2982-0098204744

MAP ENTITLED, "RECORD OF SURVEY OF A PORTION OF LOTS 1, 2, N AND 18 SETTLE SUBDIVISION", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, ON FEBRUARY 17, 1950 IN BOOK 25 OF MAPS, AT PAGE 39.

APN: 429-06-068

PARCEL FOUR:

PORTION OF LOT 2, AS SHOWN UPON THAT CERTAIN MAP ENTITLED, "MAP OF A SURVEY MADE FOR MRS. LELER MAY ALLRED IN THE SETTLE SUBDIVISION, BEING A PART OF THE NARVAEZ RANCHO", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON NOVEMBER 5, 1907 IN BOOK N OF MAPS, PAGE 2 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF LINCOLN AVENUE AT THE DIVIDING LINE BETWEEN LOTS 2 AND 3, AS SAID AVENUE AND LOTS ARE SHOWN UPON THE MAP ABOVE REFERRED TO; RUNNING THENCE NORTH 29° 30' WEST ALONG THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE 90.00 FEET; RUNNING THENCE NORTH 60° 27' 45" EAST AND PARALLEL WITH THE SAID DIVIDING LINE BETWEEN LOTS 2 AND 3, FOR A DISTANCE OF 200.00 FEET TO AN IRON PIPE; RUNNING THENCE SOUTH 29° 30' EAST AND PARALLEL WITH THE SAID NORTHEASTERLY LINE OF LINCOLN AVENUE, 90.00 FEET TO AN IRON PIPE SET ON THE SAID DIVIDING LINE BETWEEN LOTS 2 AND 3; RUNNING THENCE SOUTH 60° 27' 45" WEST ALONG SAID LAST NAMED DIVIDING LINE 200.00 FEET TO THE POINT OF BEGINNING, AND BEING SHOWN UPON THAT CERTAIN MAP ENTITLED, "RECORD OF SURVEY SHOWING A PORTION OF LOTS 1, 2, 4 AND 18 SETTLE SUBDIVISION" WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON FEBRUARY 17, 1950 IN BOOK 25 OF MAPS, PAGE 39.

APN: 429-06-067

PARCEL FIVE:

Beginning at an iron bolt set in the Easterly line of Lincoln Avenue at a point distant thereon 131 feet Southeasterly from the point of intersection of said Easterly line of Lincoln Avenue with the original Southerly line of Willow Street, said bolt being at the Westernmost corner of that certain parcel of land conveyed J.J. Caswell, et ux, to D.J. Caswell, et ux, to D.J. Guinasso by Deed dated October 21, 1908, recorded in Book 333 of Deeds, at Page 548, in the Office of the County Recorder of the County of Santa Clara, State of California; running thence along the Northwestern line of said last named parcel of land, N. 60° 30' E. 137.95 feet to a 2" x 3" white stake marked "A", thence leaving said line and running S. 29° 30' E. 15 feet to a 2" x 3" white stake marked "B", thence N. 60° 30' 15 E. 15 feet to a 2" x 3" white stake marked "C", and thence N. 29° 30' W. 15 feet to a 2" x 3" white stake marked "D" standing in said Northwestern line of said parcel of land conveyed to D.J. Guinasso; thence along the Northwestern line of said land, N. 60° 30' E. 71.05 feet to a 2" x 3" white stake marked "E" at the Northernmost corner of said land so conveyed to D.J. Guinasso; thence along the Northeasterly line of said land, S. 29° 30' E. 56 feet; thence at right angles S. 60° 30' W. and parallel with the original Southerly line of Willow Street, 224 feet to a point on the Easterly line of Lincoln Avenue; thence running N. 29° 30' W. along said Easterly line of Lincoln Avenue 56 feet to the point of beginning and being a portion of the original Settle Tract in the Narvaez Rancho.

APN: 429-06-069

APN: 429-06-001, 429-06-002, 429-06-067, 429-06-068, 429-06-069, 429-06-070